GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – B.C.Welfare Department - Departmental Proceedings against Sri D. Ankaiah, ABCWO (Retired), Kavali, S.P.S.R.Nellore District under Rule 9 of A.P.Revised Pension Rules, 1980 – Article of Charges – Issued.

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BACKWARD CLASSES WELFARE (VIG.D1) DEPARTMENT

G.O.RT.No. 161 **Dated: 13-11-2017**
Read:-

G.O.Ms.No.33, B.C.Welfare (Vig.D1)Dept., Dated:13-10-2017.

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O R D E R:

In pursuance of the sanction orders accorded by the Government under sub clause (i) of clause (b) of sub rule (2) of Rule 9 of the A.P.Revised Pension Rules, 1980 for instituting departmental proceedings against Sri D. Ankaiah, ABCWO(Retired), Kavali, S.P.S.R.Nellore District, it is proposed to hold an enquiry against the said Sri D. Ankaiah, in accordance with the procedure laid down in Rule-24 of the A.P.C.S. (CC&A) rules, 1991 read with Rule-20 of A.P.C.S. (CC&A) Rules, 1991.

2. The Substance of imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A statement of the imputations of misconduct in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the article of charges are proposed to be sustained are enclosed (Annexure-III&IV).

3. Sri D. Ankaiah, ABCWO (Retired), Kavali, S.P.S.R.Nellore District, is directed to submit within 10 days of the receipt of this G.O. a written statement of his defense and also to state whether he desires to be heard in person.

4. He is informed that inquiry will be held only in respect of those article of charges which are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri D. Ankaiah, ABCWO(Retired), Kavali, S.P.S.R.Nellore District, is further informed that if he fails to submit his statement of defense before the time stipulated by the Government in Para (3) above, or does not appear in person before the inquiry authority or otherwise fails refuse to comply with the provisions of Rule 20 of the APCS (CC&A) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the enquiring authority may hold the enquiry against him exparte.

6. The receipt of this G.O may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.UDAYA LAKSHMI
SECRETARY TO GOVERNMENT

To
Sri D. Ankaiah, ABCWO(Retired), Kavali, S.P.S.R.Nellore District.
(**Through**: The Director of B.C.Welfare, A.P., Vijayawada)

Copy to:-
The Director of B.C. Welfare,
Andhra Pradesh, Vijayawada – With a request to serve the order on the Charged Officer and send the served copy with dated acknowledgement.
The Director General, ACB, A.P., Vijayawada.
The A.P.Vigilance Commission, A.P.Secretariat, Velagapudi
Sc/Sf.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI DARLA ANKAIAH, S/o BITCHALAIAH, AGE:60 YEARS, OCC: ASST. B.C. WELFARE OFFICER (FAC), KAVALI, S.P.S.R. NELLORE DISTRICT

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That Sri Darla Ankaiah, S/o Sri Bitchalaiah, Age: 60 years, Occ: Assistant Backward Class Welfare Officer (FAC), Kavali, S.P.S.R.Nellore District joined in Govt. Service on 01.02.1984 as Hostel Welfare Office Grade-II and promoted as Hostel Welfare Officer Grade-I on 28.10.2009 and working as Assistant Backward Class Welfare Officer (FAC), Kavali from 01.08.2014 to till date.

Sri D. Ankaiah, Assistant B.C.Welfare Officer(FAC), Kavali facilitated/ entertained the Hostel Welfare Officers, Govt. B.C. Boys Hostel, Kondapuram to commit the following irregularities i.e.

Sri D. Ankaiah Assistant B.C. Welfare Officer, Kavali inspected the said hostel only once i.e., on 17.07.2015 for this academic year, 2015-16 which has been commenced from 15.06.2015. It is observed that ABCWO used to inspect the hostels in routine manner without checking the actual strength of the boarders residing in the hostel at any point of time and approved the strength claimed by the HWO in their diet bills as well as the attendance registers. It appears that the both ABCWO and HWOs colluded with each other and causing huge loss to the exchequer of the government by inflating the actual boarders strength of the hostel under slack supervision.

Thus, Sri Darla Ankaiah, Assistant B.C.Welfare Officer(FAC), Kavali, S.P.S.R. Nellore District by the above mentioned acts has exhibited lack of integrity, devotion to duty, conduct and unbecoming of a Government Servant and there by violated Rule 3(1) (2) and (5) of A.P.C.S.(Conduct) Rules, 1964.

B.UDAYA LAKSHMI
SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI DARLA ANKAIAH, S/o SRI BITCHALAIAH, AGE: 60 YEARS, OCC: ASSISTANT B.C. WELFARE OFFICER (FAC), KAVALI, S.P.S.R. NELLORE DISTRICT

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That Sri Darla Ankaiah, S/o Sri Bitchalaiah, Age: 60 Years , Occ: Assistant B.C. Welfare Officer (FAC), Kavali, S.P.S.R. Nellore District is a native of Maddali (V), Kota (M), S.P.S.R. Nellore District and he joined in Government Service on 01.02.1984 as Hostel Welfare Officer Grade-II and promoted as Hostel Welfare Officer Grade-I and working as Assistant B.C. Welfare Officer (FAC), Kavali from 01.08.2014 to till date. His date of birth is 04.10.1956. His date of retirement on attaining the age of superannuation is 31.10.2016, He is herein after referred to as Government Servant.

On credible information that Hostel Welfare Officer working at Government B.C. Boys Hostel, Kondapuram Village and Mandal, S.P.S.R Nellore District is misusing the diet charges by inflating the figure of boarders by falsifying the attendance registers. Sri T.Prabhakar, DSP, ACB, Nellore organized a surprise check over Govt.B.C.Welfare Boys Hostel, Kondapuram Village and Mandal, S.P.S.R. Nellore District on 12/13-09-2015 between 06.30 P.M.to 00-30 A.M. in the presence of mediators with the help of staff. On physical verification of boarders strength, Hostel records and on examination of witnesses i.e. mess committee boarders, watchman, kamati and surrounding school head masters, fruit vendor, proprietor of provision shop etc., it is found that the Hostel Welfare Officer Sri Kallempalli Ramesh and former HWO Sri Sk. Jabbar, committed the following irregularities, i.e. resorting to inflated the strength of boarders and misappropriating the diet charges. HWO not residing at Headquarters and not looking the welfare of the boards properly and not maintaining the important registers i.e. stock and issue register, boarders signature register and boarders movement register.

That the Government Servant while working as such committed the following irregularities.

CHARGE:

Sri D. Ankaiah, Assistant B.C.Welfare Officer, Kavali inspected the said hostel only once i.e. on 17.07.2015 for this academic year, 2015-16 which has been commenced from 15.06.2015. It is observed that ABCWO used to inspect the hostels in routine manner without checking the actual strength of the boarders residing in the hostel at any point of time and approved the strength claimed by the HWO in their diet bills as well as the attendance registers. It appears that both ABCWO and HWOs colluded with each other and causing huge loss to the exchequer of the government by inflating the actual boarders strength of the hostel under slack supervision.

IMPUTATION:

On 12.09.2015, surprise check was conducted by the DSP along with the mediators and his staff. During it, he was secured several documents and examined several witness. The records were meticulously verified and found the ABCWO being the supervisory authority failed to monitor the acts of the HWO and allowed him to carry out several irregularities in managing the hostel. He failed to verify the boarders attendance register with that of the school registers to know the members of actual boarders are taking shelter in the said hostel. As per the records, the HWO claimed the diet charges in excess than the entitlement of the charges and caused loss to the Government Exchequer. The records were not verified and properly checked by the ABCWO and if they were checked properly the misusing of the funds by the HWO may came into light. There is no record to show that the ABCWO issued notice to HWO, seeing his remarks on the entries of the concerned registers.

As per the inspection record, the ABCWO used to inspect the hostel in routine manner and approved the diet bills claimed by the HWO and thereby colluded with him As per the inspection register, the ABCWO inspected the said hostel only once i.e. on 17.07.2015 for this academic year, 2015-16 which has been commenced from 15.06.2015. It is observed that ABCWO used to inspect the hostel in routine manner without checking the actual strength of the boarders residing in the hostel at any point of time and approved the strength claimed by the HWOs in their diet bills as well as the attendance registers. Thus the ABCWO colluded with HWOs and causing huge loss to the exchequer of the government by inflating the actual boarders strength of the hostel.

As per the statements of the witnesses and also the statements of the Kamati and Watchman, the ABCWO failed to supervise the maintenance of the hostel which was in very bad condition with regard to sanitation and other aspects. Further the ABCWO did not appoint the tutors for the SSC students for getting 100% result and on the other hand he allowed the Watchman and Kamati who are under graduates to monitor the studies of the SSC boarders and without appointing cooks who are having experience in cook and utilized the services of the Watchman and Kamati and thereby showed slackness in his supervision.

Thus, the Government Servant by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct and unbecoming of a Government Servant and thereby contravened Rule 3 (1) (2) & (5) of A.P.C.S. (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

B.UDAYA LAKSHMI
SECRETARY TO GOVERNMENT

ANNEXURE – III

LIST OF WITNESSES:

1) Sri Neelam Madhu S/o Late Malakondaiah, Age 16 years, Caste by SC, X Class, Govt. B.C. Boys Hostel, Kondapuram Village and Mandal, SPSR Nellore District Native of Vengalayapalli Village, P.C. Palli Manda, Prakasam District.
2) Sri Indla Kalyan S/o Ramesh, Age 15 years, Caste By ST, X Class, Govt. B.C.Boys Hostel, Kondapuram Village and Mandal, SPSR Nellore District, Native of Alluru Village, Kothapatnam Mandal, Prakasam District.
3) Sri Tanneru Madhava S/o Malakondaish, Age 16 years, Caste by BC, X Class, Govt. B.C.Boys Hostel, Kondapuram Village and Mandal, SPSR Nellore District, Native of Krishnareddypalem, Kaligiri Mandal, SPSR Nellore District.
4) Sri Chevuri Valluraiah, S/o Venkat Narayana, Age 17 years, Caste by BC, X Class, Govt. B.C Boys Hostel, Kondapuram Village and Mandal, SPSR Nellore District, Native of Alluru Village, Kothapatnam Mandal, Prakasam District.
5) Sri Penumala Rajesh, S/o Ramachandraiah, Age 15 years, Caste by SC, IX Class, Govt.B.C. Boys Hostel, Kondapuram Village and Mandal, SPSR Nellore District, Native of Kavali town, SPSR Nellore District.
6) Sri Shaik Khasimbi, W/o Khasim Sahib, Age 40 years, Fruit Vendor, Caste by Muslim, Boyalollapalem, ST Colony, Kondapuram Village Mandal, SPSR Nellore District.
7) Sri Annavarapu Brahmaiah, S/o Kotaiah, Age 48 years, Caste by Viswabrahmin, Proprietor of Kirana and Fancy Stores, Kondapuram, SPSR Nellore District.
8) Sri Kandikattu Venkateswarlu S/o Late K. Chennaiah, Age: 28 years, Kamati, R/o Gannavarm Village & Post, Veligandla,Mandal, Prakasam District, A.P.
9) Sri Satyala Venkateswarlu, S/o Penchalaiah, Age:29 Years, Watchman R/o Z.P. High School Backside, Employees Colony, Somasila Project, Ananthasagaram Mandal, SPSR Nellore District.
10) Smt. Munama Vasantha Kumari W/o G Venkata Rao, Age: 54 years, Primary School, Head Mistress of MPP School, Bollivaripalem, Kondapuram (M) R/o Ravoola Kolluvari Veedhi, Rammoorthy Peta, Kavali cell:9701329796
11) Sri. Ganapati Raju S/o Srinivasa Rao, Agee: 39 Years, ZPPH School, Head Master, Kondapuram (V&M), SPSR Nellore District.
12) Sri Jakkala Hari Krishna, S/o J.V.R.Devanandam, Age: 40 Years, Head Master, A.P.Model School, Kondapuram(V&M), SPSR Nellore District cell: 9494619227 R/o: D.No.4-1-48/A50, Konammathota, Kovuru.
13) Sri Nalagandla Hari Prasad, S/o Chennaiah, Asst. Engineer (R&B), Age:55 Years O/o Deputy Executive Engineer, Roads& Buildings Sub- Division Nellore, SPSR Nellore District. (Mediator-I)
14) Sri Napa Madhu Sudhana Rao, S/o Late N. Venkata Subbaiah, Age: 40 Years, Junior Assistant, O/o. Deputy Executive Engineer, Roads & Buildings Sub-Division, Nellore, SPSR Nellore District. (Mediator-II)
15) Smt. Parri Lilly D/o P.Jacob, Age:49 Years, Inspector Legal Metrology, O/o Asst. Controller Legal Metrology, Nellore, SPSR Nellore District. (Mediator-III)
16) Sri Guddanti Venkateswara Rao S/o Late Veera Mohan, Age: 49 Years, Caste by Padmasali, Occ:Food Inspector, O/o Gazetted Food Inspector, Venkatareddy Nagar, Vedayapalem, Nellore, SPSR Nellore District, R/o: 26-7-115, 9th Cross Road, Mahatma Gandhi Nagar, Vedayapalem, Nellore. (Mediator-IV)
17) Sri. T.Prabhakar, Deputy Superintendent of Police, ACB, Nellore.

B.UDAYA LAKSHMI
SECRETARY TO GOVERNMENT

ANNEXURE-IV

LIST OF RECORDS:

1) Boarders Attendance Register
2) Stock Register
3) Small Note Books - 03
4) Moment Register of Hostel Welfare Officer
5) Admission Register of the Boarders
6) Tutors Attendance Register
7) Hostel Inspection Register
8) Boarders Progress Register
9) Daily Purchase Register
10) Proceedings of the Collector and District Magistrate, SPSR Nellore District vide Rc.No.A5/088/2015, dt.27.08.2015
11) Letter of Sri V.Sanjeeva Rao, B.A., District BC Welfare Officer, SPSR Nellore District, vide Rc.No.A1/275/2015, dt.16.09.2015
12) Mediators report drafted at the Govt.BC Boys Hostel, Kondapuram Village and Mandal, SPSR Nellore District on dt:12/13.09.2015 from 06-30 pm to 00.30 am.
13) Rough sketch of scene of offence, Dt:12/13-09-2015.
14) Certified copies of Attendance Registers for the academic year 2015-2016 of (a) ZPP High School Kondapuram (V&M), (b) A.P. Model High School Kondapuram (V&M) and (c) MPP School. Bollivaripalem of Kondapuram (V&M), SPSR Nellore District.

B.UDAYA LAKSHMI
SECRETARY TO GOVERNMENT